

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

BRANDON FINCHUM, §
Plaintiff, §
§
v. § CIVIL ACTION NO. 9:21-CV-285-MJT-CLS
§
NACOGDOCHES COUNTY, §
Defendant. §

**ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

The District Court referred this proceeding to the Honorable Christine L. Stetson, United States Magistrate Judge, for consideration and disposition of Defendant's Second Motion for Summary Judgment [Dkt. 132]. On June 30, 2023, the Magistrate Judge entered a Report and Recommendation [Dkt. 46] in which she recommended granting Defendant's Second Motion for Summary Judgment and dismissing Plaintiff's *Monell* claim. To date, the parties have not filed objections to the report.

The Court received and considered the Report and Recommendation of the United States Magistrate Judge pursuant to such referral, along with the record, pleadings, and all available evidence. After careful review, the Court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

Accordingly, the Report and Recommendation of the United States Magistrate Judge [Dkt. 146] is ADOPTED. Defendants' Motion for Summary Judgment [Dkt. 132] is GRANTED. Plaintiff's *Monell* claim is DISMISSED. Only Plaintiff's Federal Wiretap Act and Texas Wiretap Act remain in this suit.

SIGNED this 20th day of July, 2023.



Michael J. Truncale
United States District Judge